

REMARKS

The application has been amended and is believed to be in condition for allowance.

There are no formal matters outstanding.

Claims 1-5 and 8-18 were rejected as anticipated by CHOI 2006/0013165.

Claims 6, 7, 19 and 20 were rejected as obvious in further view of DAS 2004/0203980.

Applicant has carefully studied the applied references, taking into account how the claims have been read onto these references.

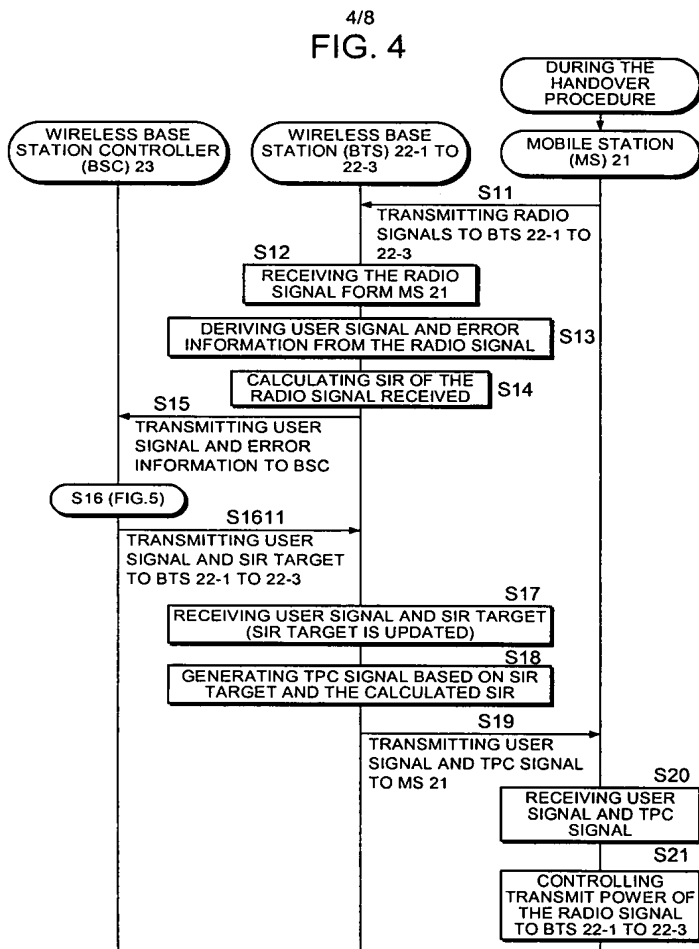
Each of the independent claims have been amended to recite the feature of the invention wherein the plural base stations and the specific base station control the radio signal transmission of the mobile station based on the first control signal. This amendment is believed to place the case in condition for allowance.

This amendment is based on at least specification page 15, line 24 through line 8 of page 16; lines 10-23 of page 23, and lines 5-24 of page 24.

Consider claim 1, which recites 1) a plurality of base stations simultaneously communicating with a mobile station by receiving a radio signal relating to a first communication type transmitted by the mobile station; and 2) a specific base station communicating with the mobile station by receiving a radio signal

relating to a second communication type different from the first communication type.

Also see Figure 4, reproduced below.



Wireless base stations 22-1 to 22-3 receives the user signal and SIR target from the wireless base station controller 23, then SIR targets of the wireless base stations 22-1 to 22-3 are updated (S17). The wireless base stations 22-1 to 22-3 generate the transmit power control signal for controlling the transmit power of the radio signal transmitted by the mobile

station 21 based on the updated SIR target and the calculated SIR in the step S14 (S18). Also, the wireless base stations 22-1 to 22-3 transmit the user signal and the transmit power control signals generated to the mobile station 21 (S19).

From page 23, it is disclosed that in one embodiment, the outer loop processor 14 in the wireless base station controller 23 generates and provides for the distributing processor 13, SIR target for the radio signal received by the wireless base stations 22-1 to 22-3 in order to control the transmit power of the mobile station 21. In another embodiment, the outer loop processor 14 in the wireless base station controller 23, however, may generate and provide, for the distributing processor 13, other control signal 40 than the SIR target (S301, S302). The control signal 40 may be other quality target (e.g. error rate target,  $E_b/N_0$  target (where  $E_b$  is the energy, or power density, per user bit and  $N_0$  is the interference and noise power density), etc.), directing to change modulation type (e.g. BPSK, QPSK, 16QAM, etc.), transmit power, communication type (e.g. the high-speed data communication to the normal communication), and bit rate (spreading factor) of the radio signal or the user signal transmitted by the mobile station 21, etc.

Finally, from page 24 and with reference to Figure 6, the wireless base stations 22-1 to 22-3 receive the user signal and the control signal 40 from the wireless base station

controller 23 (S31). The wireless base stations 22-1 to 22-3 may generate the transmit power control signal for controlling the transmit power of the radio signal transmitted by the mobile station 21. However, the control signal 50 may be directing to change modulation type (e.g. BPSK, QPSK, 16QAM, etc.), transmit power, bit rate (spreading factor), and communication type (e.g. the high speed data communication to the normal communication), of the radio signal or the user signal transmitted by the mobile station 21, etc. Also, the wireless base stations 22-1 to 22-3 transmit the user signal and the control signals 50 generated to the mobile station 21 (S33).

Accordingly, in the invention, the controller i) receives signals from the plurality of base stations (based on the radio signal relating the first communication type), and ii) receives a signal from the specific base station (based on the radio signal relating to the second communication type). The controller transmits a first control signal to the plurality of base stations and to the specific base station (on the basis of the signal based on the radio signal relating to the second communication type received from the specific base station). In the recited arrangement the plurality of base stations and the specific base station are enabled to control the radio signal transmission of the mobile station based on the transmitted first control signal.

This arrangement is not found in the prior art.

It is not sufficient that CHOI teaches to transmit "a first control signal to said plurality of base stations and said specific base station, on the basis of the signal ... relating to the second communication type ..." as per CHOI paragraphs [0024, 0025, 0037, 0040, and 0041] as CHOI does not teach the further feature of the plurality of base stations and the specific base station controlling the radio signal transmission of the mobile station based on the first control signal.

Without this teaching, each independent claim and dependent claim is patentable.

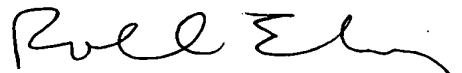
Reconsideration and allowance of all the claims are respectfully requested.

Applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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